

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA, )  
and the STATE OF NEBRASKA, )  
 )  
Plaintiffs, )  
 )  
v. )  
 )  
PECKHAM, INC., MARK )  
PECKHAM, CITY OF WEST )  
POINT, NEBRASKA, The, )  
WIMMER'S MEAT PRODUCTS, )  
Inc., and WEST POINT DAIRY )  
PRODUCTS, LLC, )  
 )  
Defendants. )

8:08CV293

MEMORANDUM AND ORDER

The United State has filed a notice of lodging along with a proposed consent decree. Filing No. [74](#). The proposed consent decree is subject to a 30-day public comment period. The court has therefore entered an order abating all deadlines related to: 1) the United States' time for filing a motion to dismiss West Point Dairy Products, LLC's Cross-Claims, and 2) West Point Dairy Products, LLC's and Wimmer's time to respond to the City of West Point's Motion to Dismiss the Cross-Claim of West Point Dairy Products, LLC. The court has further ordered that the City of West Point's Motion to Dismiss the Cross-Claim of West Point Dairy Products, LLC, is held in abeyance until further order of the court. Filing No. [77](#). Accordingly,

IT IS ORDERED that the settlement conference scheduled before Magistrate Judge Piester on August 17, 2009, and the planning conference scheduled before Magistrate Judge Piester on October 13, 2009, are cancelled.

DATED this 6<sup>th</sup> day of July, 2009.

BY THE COURT:

*s/Richard G. Kopf*  
United States District Judge